

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE LOCAL 7 TILE
INDUSTRY WELFARE FUND, TRUSTEES OF
THE LOCAL 7 TILE ANNUITY FUND,
TRUSTEES OF THE TILE LAYERS LOCAL
UNION 52 PENSION FUND, TRUSTEES OF
THE BRICKLAYERS AND TROWEL TRADES
INTERNATIONAL PENSION FUND, and
TRUSTEES OF THE INTERNATIONAL
MASONRY INSTITUTE,

ORDER
13-CV-924 (RRM) (VMS)

Plaintiffs,

- against -

CAESAR MAX TILE CORP. and CAESAR
MAX CONST. INC.,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

By motion dated July 8, 2013, plaintiffs moved for default judgment against both defendants. By Order entered the same day, this Court referred that motion to the assigned Magistrate Judge, the Honorable Vera M. Scanlon, for a Report and Recommendation (“R&R”). Judge Scanlon held an inquest on October 8, 2013 and, on February 12, 2014, issued an R&R recommending that the Court grant the motion and award plaintiffs \$173,224.41 in damages (representing \$141,753.30 in delinquent contributions; \$25,078.82 in interest through February 12, 2014; \$25,155.29 in liquidated damages; \$4,557.00 in attorneys’ fees and costs; and \$1,680.00 in audit costs; minus \$25,000 paid to plaintiffs by defendants’ bonding company after the inquest), plus per diem interest in the amount of \$41.59, accruing as of February 13, 2014, through the entry of judgment. Judge Scanlon reminded the parties that, pursuant to Fed. R. Civ. P. 72(b), any objections to the R&R were due February 26, 2014. The Court mailed defendants a

copy of the R&R on February 12, 2014, as reflected on the docket. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ordered that judgment enter in favor of plaintiffs as against defendants in the total amount of \$173,224.41 in damages (representing \$141,753.30 in delinquent contributions; \$25,078.82 in interest through February 12, 2014; \$25,155.29 in liquidated damages; \$4,557.00 in attorneys' fees and costs; and \$1,680.00 in audit costs; minus \$25,000 paid to plaintiffs by defendants' bonding company after the inquest), plus per diem interest in the amount of \$41.59, accruing as of February 13, 2014.

Upon the entry of such judgment, the Clerk of Court is directed to close the file.

SO ORDERED.

Dated: Brooklyn, New York
March 13, 2014

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge